



CITY COUNCIL
ATLANTA, GEORGIA

Municipal Clerk
Atlanta, Georgia

04-0-0902

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-37
Date Filed: 4-12-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

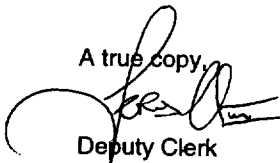
SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **360 & 390 16th Street, N.W. and 1217 Mecalvin Street, N.W.** be changed from the C-4-C(Central Area Commercial Residential-Conditional) District, to the PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 148 & 149 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

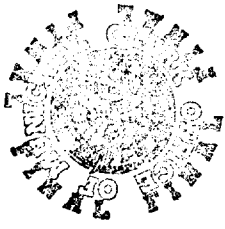
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

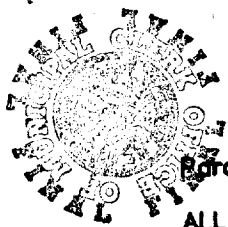
July 6, 2004
July 14, 2004



Conditions for Z-04-37

1. Site plan entitled "Beazer Homes Corp., Lots R-5, R-6 and R-13, Atlantic Station Development, Site Plan" prepared by Mactec Engineering and Consulting, Inc., dated June 1, 2004 and marked received by the Bureau of Planning June 3, 2004.
2. Provisions for maintaining the common areas, including open space and driveways, shall be through a homeowners association to be formed and created under terms and provisions of executed restrictive and protective covenants to be filed at the appropriate time.

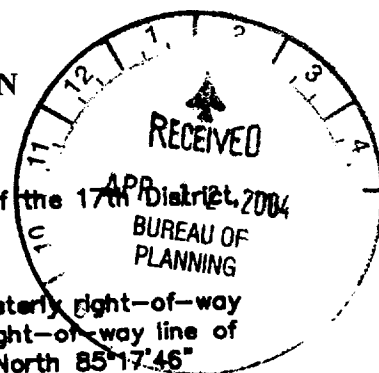




METES AND BOUNDS LEGAL DESCRIPTION

Parcel R-5

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 148 of the 17th District, Fulton County, Georgia, being more particularly described as follows:



COMMENCE at a concrete monument found at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North $85^{\circ}17'46''$ East, a distance of 2,318.48 feet to a point on the northeasterly corner of a mitered intersection of the southerly right-of-way line of 16th Street (proposed 60' right-of-way width) and the easterly right-of-way line of Mecaliln Street (proposed 50' right-of-way width), said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence run along and coincident with the southerly right-of-way line of 16th Street North $61^{\circ}06'03''$ East, a distance of 274.39 feet to a point; thence continue to run along and coincident with the southerly right-of-way line of 16th Street along the arc of a curve to the right, an arc distance of 19.38 feet (said curve having a radius of 37.50 feet, being subtended by a chord bearing North $75^{\circ}54'34''$ East, a chord distance of 19.17 feet) to a point; thence continue to run along and coincident with the southerly right-of-way line of 16th Street South $89^{\circ}16'54''$ East, a distance of 36.67 feet to a point; thence continue to run along and coincident with the southerly right-of-way line of 16th Street along the arc of a curve to the right, an arc distance of 44.44 feet (said curve having a radius of 28.37 feet, being subtended by a chord bearing South $44^{\circ}23'56''$ East, a chord distance of 40.04 feet) to a point on the westerly right-of-way line of State Street (a variable right-of-way width); thence leave the southerly right-of-way line of 16th Street and run along and coincident with the westerly right-of-way line of State Street South $00^{\circ}29'02''$ West, a distance of 31.70 feet to a point; thence continue to run along and coincident with the westerly right-of-way line of State Street South $03^{\circ}36'18''$ East, a distance of 45.74 feet to a point; thence continue to run along and coincident with the westerly right-of-way line of State Street South $00^{\circ}44'37''$ West, a distance of 14.05 feet to a point; thence leave the westerly right-of-way line of State Street and run North $89^{\circ}16'54''$ West, a distance of 135.00 feet to a point; thence run South $00^{\circ}31'03''$ West, a distance of 150.49 feet to a point on the northerly right-of-way line of 15th Street (40' right-of-way width); thence run along and coincident with the northerly right-of-way line of 15th Street North $89^{\circ}29'25''$ West, a distance of 141.15 feet to a point on the easterly right-of-way line of Mecaliln Street (50' right-of-way width); thence run along and coincident with the easterly right-of-way line of Mecaliln Street North $00^{\circ}00'52''$ East, a distance of 1.04 feet to a point; thence continue to run along and coincident with the easterly right-of-way line of Mecaliln Street along the arc of a curve to the left, an arc distance of 57.79 feet (said curve having a radius of 125.00 feet, being subtended by a chord bearing North $16^{\circ}50'40''$ West, a chord distance of 57.28 feet) to a point; thence continue to run along and coincident with the easterly right-of-way line of Mecaliln Street North $30^{\circ}05'19''$ West, a distance of 70.95 feet to a point on the southwest corner of a mitered intersection of the easterly right-of-way line of Mecaliln Street and the southerly right-of-way line of 16th Street; thence run along and coincident with said miter North $15^{\circ}30'22''$ East, a distance of 14.00 feet to a point on the northeasterly corner of said miter, said point being the TRUE POINT OF BEGINNING.

Said tract containing 1.070 acres and being more particularly described as "Parcel "R-5" on the Survey.

[Legal description continues on following page]

2-0437

Page 1 of 2

[Legal description continued from previous page]

TOGETHER WITH

Parcel R-6

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 148 and 149 of the 17th District, Fulton County, Georgia, being more particularly described as follows:

COMMENCE at a concrete monument found at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North $89^{\circ}31'40''$ East, a distance of 2,359.16 feet to a point at the intersection of the southerly right-of-way line of 15th Street (40' right-of-way width) and the easterly right-of-way line of Mecasin Street (50' right-of-way width), said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave the easterly right-of-way line of Mecasin Street and run along and coincident with the southerly right-of-way line of 15th Street South $89^{\circ}29'25''$ East, a distance of 271.82 feet to a point on the westerly right-of-way line of State Street (80' right-of-way width); thence leave the southerly right-of-way line of 15th Street and run along and coincident with the westerly right-of-way line of State Street South $00^{\circ}08'21''$ West, a distance of 399.86 feet to a point on the northerly right-of-way line of Laurent Street (40' right-of-way width); thence leave the westerly right-of-way line of State Street and run along and coincident with the northerly right-of-way line of Laurent Street North $89^{\circ}33'14''$ West, a distance of 273.91 feet to a point on the easterly right-of-way line of Mecasin Street; thence leave the northerly right-of-way line of Laurent Street and run along and coincident with the easterly right-of-way line of Mecasin Street North $00^{\circ}26'18''$ East, a distance of 400.15 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract containing 2.506 acres and being more particularly described as "Parcel "R-6"" on the Survey.

TOGETHER WITH

Parcel R-13

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 148 of the 17th District, Fulton County, Georgia, being more particularly described as follows:

COMMENCE at a concrete monument found at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North $81^{\circ}45'48''$ East, a distance of 2,735.42 feet to a point on the northeasterly corner of the mitered intersection of the southerly right-of-way line of 16th Street (proposed variable right-of-way width) and the easterly right-of-way line of State Street (60' right-of-way width), said point being the TRUE POINT OF BEGINNING.

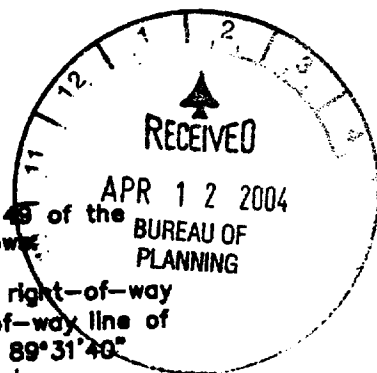
FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said miter and run along and coincident with the southerly right-of-way line of 16th Street North $61^{\circ}06'03''$ East, a distance of 133.73 feet to a point; thence continue to run along and coincident with the southerly right-of-way line of 16th Street along the arc of a curve to the right, an arc distance of 153.53 feet (said curve having a radius of 402.50 feet, being subtended by a chord bearing North $72^{\circ}01'42''$ East, a chord distance of 152.60 feet) to a point on the westerly right-of-way line of Atlantic Drive (50' right-of-way width); thence leave the southerly right-of-way line of 16th Street and run along and coincident with the westerly right-of-way line of Atlantic Drive South $00^{\circ}22'24''$ West, a distance of 298.31 feet to a point; thence leave the westerly right-of-way line of Atlantic Drive and run North $89^{\circ}43'24''$ West, a distance of 270.86 feet to a point on the easterly right-of-way line of State Street; thence run along and coincident with the easterly right-of-way line of State Street North $00^{\circ}44'37''$ East, a distance of 170.69 feet to a point on the southwesterly corner of a mitered intersection of the easterly right-of-way line of State Street and the southerly right-of-way line 16th Street; thence run along and coincident with said miter North $29^{\circ}45'59''$ East, a distance of 16.83 feet to a point on the northeasterly corner of said miter, said point being the TRUE POINT OF BEGINNING.

Said tract containing 1.549 acres and being more particularly described as "Parcel "R-13"" on the Survey.

[End of Legal Description]

Z-04-37

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RCS# 5869
7/06/04
2:54 PM

Atlanta City Council

Regular Session

MULTIPLE 04-O-0902 04-O-0905 04-O-0465 04-O-0908
 04-O-0909
 ADOPT

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	0

Y Smith	Y Winslow	NV Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	NV Mosley	NV Willis

MULTIPLE

04-0902

(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-37

AN ORDINANCE TO REZONE FROM THE C-4-C
(CENTRAL AREA COMMERCIAL RESIDENTIAL-
CONDITIONAL) DISTRICT TO THE PD-H
(PLANNED DEVELOPMENT-HOUSING) DISTRICT,
PROPERTY LOCATED AT 360 & 390 16TH STREET,
N.W. AND 1217 MECASLIN STREET, N.W.

FRONTING AS FOLLOWS:

360 16TH ST. NW - APPROX. 286.33 FEET ON
THE SOUTH SIDE OF 16TH STREET BEGINNING AT
THE SOUTHWEST CORNER OF ATLANTIC AVENUE.
390 16TH STREET, NW - APPROX. 374.88 FEET
ON THE SOUTHWESTERLY SIDE OF 16TH STREET
BEGINNING AT THE SOUTHWEST CORNER OF
STATE STREET.
1217 MECASLIN ST. NW - 400 FEET ON THE
EAST SIDE OF MECASLIN STREET BEGINNING AT
THE SOUTHEAST CORNER OF 15TH STREET
DEPTH: VARIES

AREA: 5.125 ACRES (TOWAL)

LAND LOT 148 & 149, 17TH DISTRICT, FULTON

COUNTY, GEORGIA

OWNER: ATLANTIC STATION, LLC

APPLICANT: GRANT A. GRIMES

BY: CARL E. WESTMORELAND JR., ATTNEY

NPV

COUNCIL DISTRICT 2 & 3

ADOPTED BY

JUL 06 2004

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER **COUNCIL**
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 5/17/2004

Referred To: ZRB & Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee
Date
Chair
Referred To

First Reading

Committee
Date
Chair
Referred To

June 30, 2004

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

6

COUNCIL PRESIDENT PRO TEM

JUL 06 2004

MAYOR'S ACTION

MAYOR'S ACTION

APPROVED

MAYOR